

REMARKS

The Amendment is intended to be fully responsive to the outstanding Office Action. Reconsideration of the outstanding Office Action is respectfully requested.

Drawings

In paragraphs 1-4 of the Office Action the drawings are objected to for failing to show every feature of the invention.

Submitted herewith are replacement figures 5a and 5b and new figure 5c to address these objections. All elements objected to as being claimed but not shown are illustrated in Figs. 5a-5c.

Fig. 5a now illustrates the indicia 159, Fig. 5b now illustrates the reinforcing fiber 168, and new Fig. 5c illustrates the film 165 with a plurality of layers 166.

Approval of the drawings corrections for Figs. 5a and 5b and for new Fig. 5c are respectfully requested. Also, withdrawal of the objections is also respectfully requested.

Claim Objections

In paragraph 5 of the Office Action, claims 10-12 are objected to for lack of antecedent basis for two elements.

As set forth above, claim 10 has been amended to correct a typographical error and change the dependency of claim 10 from claim 8 to

claim 7, which provides positive antecedent basis for the elements in question.

In paragraph 6 of the Office Action, claims 15 and 16 are objected to for insufficient basis for the claims in the specification.

As set forth above, the specification has been amended to provide support for the subject matter of claims 15 and 16.

Accordingly, withdrawal of all objections to the claims is respectfully requested.

Claim Rejections – 35 USC § 103

In paragraph 8 of the Office Action, claims 1, 13, 14 and 17-21 are rejected as being unpatentable over Jones et al. in view of Bayerische and Choi. This rejection is respectfully traversed.

In particular, the rejection to claim 1 combines Jones et al. and Bayerische to provide the flexible fitting 9 as disclosed in Bayerische to the tape of Jones et al., while further combining Choi to provide a concavo-convex configuration to the tape of Jones et al.

The Office Action states that “Jones et al. and Bayerische do not disclose said elongated blade housing a concave-convex configuration when extended from said housing assembly.” Instead, Jones et al. and Bayerische disclose only *flat* tapes and do not disclose or suggest using a concavo-convex configuration.

Bayerische makes clear that its fitting 9 is intended to extend from the free end of the tape to the point at which the tape begins to wind on the reel,

which is illustrated as length “x” in the figures. (Translation of Bayerische, Col. 3, lines 1-5 and Col. 4, penultimate full paragraph.) (An English language translation of Bayerische has been submitted herewith as part of an Information Disclosure Statement.) Bayerische further states that the fitting 9 “does not adjust to the curve of the winding” of the tape (Translation of Bayerische, Col. 2, last paragraph, lines 11-14) so that the tape covered by the fitting 9 and the fitting 9 are “not being subjected to any bending alternating stresses at a small bending radius” (Translation of Bayerische, Col. 3, lines 6-9).

Therefore, in addition to there being no motivation for providing a concave-convex configuration to the fitting 9 of Bayerische in any of the prior art, Bayerische teaches away from any bending of fitting 9 and, thus, teaches away from shaping the material that forms fitting 9 into a concave-convex configuration as suggested in the Office Action. The proposed combination would bend the material that forms fitting 9 of Bayerische to provide the concave-convex configuration. Thus, the proposed combination would subject the material forming fitting 9 and its corresponding length of tape to bending stresses and would necessarily destroy the intended purpose of the material of fitting 9 of Bayerische. Thus, the rejection is improper.

Even if it was assumed that the material of fitting 9 of Bayerische could be provided to Jones et al., the subsequent curving and bending of the tape and fitting of the Jones-Bayerische combination would inflict the fitting of the combination and its corresponding tape to bending stresses. This would be

contrary to the intended purpose of Bayerische and would destroy the intended purpose of the fitting on the combined Jones-Bayerische apparatus.

Additionally, even if it was assumed that the concave-convex configuration of Choi could be provided to Jones et al., the presence of the concave-convex configuration would prohibit providing the material of fitting 9 of Bayerische to the Jones-Choi combination. Such a further combination would result in bending the material of the fitting 9 of Bayerische and be contrary to the disclosure of Bayerische.

The Office Action also states that it would have been obvious to form the tape of Jones et al. “in the manner taught by Choi in order that the blade will remain straight and be urged to not droop when extended.” However, no such motivation exists in Choi. This motivation is only present in Applicant’s own specification (e.g., Applicant’s Specification, page 10, lines 1-3). Therefore the rejection is based on improper hindsight reconstruction and is improper.

Accordingly, withdrawal of the rejection is respectfully requested.

Claims 13, 14 and 17-21 depend from and further limit claim 1. Thus, the withdrawal of the rejection to those claims is respectfully requested for at least the same reasons set forth with respect to claim 1.

In paragraph 9 of the Office Action, claim 2 is rejected as being unpatentable over Jones et al., Bayerische and Choi and further in view of Kobayashi. This rejection is respectfully traversed.

An English language translation of Kobayashi is submitted herewith as part of an Information Disclosure Statement.

Claim 2 depends from and further limits claim 1. Thus, the withdrawal of the rejection to claim 2 is respectfully requested for at least the same reasons set forth with respect to claim 1.

In paragraph 10 of the Office Action, claims 3-12 are rejected as being unpatentable over Jones et al., Bayerische and Choi and further in view of Bradshaw. This rejection is respectfully traversed.

Claims 3-13 depend from and further limit claim 1. Thus, the withdrawal of the rejection to those claims is respectfully requested for at least the same reasons set forth with respect to claim 1.

Additionally, with respect to claims 7 and 9, the Office Action states that the combined references and, presumably, Jones et al. in particular disclose a “U-shaped hook portion (20) that is bent at a generally right angle from an end (19) of said mounting portion.” However, the hook 20 of Jones et al. is not bent at a generally right angle to rectangular ring 19. Rectangular ring 19 “is attached at one end to a hook 20” (col. 2, lines 64-65). Additionally, Figures 1 and 4 of Jones et al. disclose a rectangular ring 19 and a hook 20 that are illustrated consistent with two parts that are movable relative to each other and do not illustrate a hook portion that is bent generally at a right angle from an end of the mounting portion as claimed. Thus, the characterization of the prior art with respect to the rejection of claims 7 and 9 is inaccurate and the rejection is, thus, additionally improper.

In paragraph 11 of the Office Action, claims 15 and 16 are rejected as being unpatentable over Jones et al., Bayerische and Choi and further in view of Beeber. This rejection is respectfully traversed.

Claims 15 and 16 depend from and further limit claim 1. Thus, the withdrawal of the rejection to those claims is respectfully requested for at least the same reasons set forth with respect to claim 1.


New Claims

New claims 22-32 are added to define additional aspects of the claimed invention.

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In view of the foregoing, all claims are believed to be in form for allowance, and such action is hereby solicited. If any points remain in issue that the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,  
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